

Digital Surveillance

Currently, Gambling Commission rules require card room surveillance to be recorded onto VHS tapes. Two years ago, a card room requested authorization to use digital surveillance to record card room surveillance. At that time, digital recording technology was new and expensive, and interest from the card room industry was low. Soon after that, the card room operator requesting the use of digital surveillance informed staff they no longer wanted to pursue authorization until digital technology progressed further.

Earlier this year, a digital surveillance company requested that staff authorize digital surveillance for house-banked card rooms. After review, staff felt technology had progressed to a point that made digital recordings of surveillance feasible. Therefore, rules were drafted and discussed at the March 2002, Study Session. Staff did not receive many comments from the public. After further review, staff felt the draft rules were written in an overly technical manner. Technology is quickly progressing and in a few years, staff did not want to have to amend the rules to accommodate new technology. Therefore, the rules package was pulled from the study session agenda and turned over to the Rules Team for review.

The Rules Team discussed these rules with stakeholders and industry experts. The team decided that rather than including the technical details in the rules, which may become obsolete, the rules should set forth the minimum standards for digital surveillance. Therefore, the team removed much of the technical language and drafted the following rule proposals to set forth the regulatory requirements for operating digital surveillance in card rooms.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-625

**Closed circuit television system ((~~requirements~~
~~and procedures~~))--Class F card rooms.**

ITEM 13 (a) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Currently, this rule sets forth the regulatory requirements for closed circuit television system surveillance in Class F card rooms (poker rooms). Language was added to authorize digital surveillance in these card rooms. Safeguards were established to ensure the authenticity, integrity and readability of recordings and to ensure our current regulatory program is not compromised by the use of digital surveillance.

Pursuant to WAC 230-40-815, card rooms must report suspicious activities. Subsection (5) was added to this rule so that licensees will have the reporting requirements for surveillance at their fingertips in the surveillance rule.

Subsection (9)(c): The retention period for recording jackpot payouts of \$500 or more was increased from seven days to thirty days. This change updates the rule to maintain consistency with the Commission's current retention requirement for the recordings of jackpot payouts.

Housekeeping: A few words from the title of the rule is proposed to be removed, so that the title more closely matches that of WA 230-40-825. The word "tapes" was removed and "recordings" will be used to encompass both analog and digital recordings.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

Class F card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-825

Closed circuit television system--House-banking.

ITEM 13 (b) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Currently, this rule sets forth the regulatory requirements for closed circuit television systems in house-banked card rooms. Language was added to authorize digital surveillance in these card rooms. Safeguards were established to ensure the authenticity, integrity and readability of recordings and to ensure our current regulatory program is not compromised by the use of digital surveillance.

Pursuant to WAC 230-40-815, card rooms must report suspicious activities. Subsection (5) was added to this rule so that licensees will have the reporting requirements for surveillance at their fingertips in the surveillance rule.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

House-banked card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-550

Incompatible functions defined.

ITEM 13 (c) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Housekeeping: The word "tapes" was removed, as digital recordings are not recorded to tape. The term "recordings" will be used to encompass both analog and digital recordings.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

House-banked card rooms and Class F card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-815

**Administrative and accounting control
structure--Organization--House-banking.**

ITEM 13 (d) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Housekeeping: The word "taping" was removed from subsection (3) (iii) and (v), as digital recordings are not recorded to tape. The term "recording" will be used to encompass both analog and digital recordings.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

House-banked card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-860

**Table inventories and procedures for opening
tables for house-banked card games.**

ITEM 13 (e) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Housekeeping: The word "taped" was removed from subsection (2), as digital recordings are not recorded to tape. The term "recorded" was inserted, which encompasses both analog and digital recordings.

Furthermore, headers were added so that topics will now be easier to find.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

House-banked card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-875

Closing gaming tables -- House-banking.

ITEM 13 (f) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Housekeeping: The word "taped" was removed from subsection (1), as digital recordings are not recorded to tape. The term "recorded" was inserted and encompasses both analog and digital recordings.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

House-banked card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.



Rule Up Discussion and Possible Filing

Proposed Amendments to

WAC 230-40-895

Key control--House-banking.

ITEM 13 (g) on the February 14, 2003, Commission Meeting Agenda.

Statutory Authority 9.46.070

Who proposed the rule change?

Staff.

Why is this rule change needed?

Housekeeping: The word "tapes" was removed from subsection (2)(d)(ii), as digital recordings are not recorded to tape. The term "recordings" will be used to encompass both analog and digital recordings.

Statements against the proposed rule change.

None at this time.

Which licensees will be directly impacted?

House-banked card rooms.

What are the potential impacts to the agency?

Minimal.

Staff recommendation.

File for further discussion.

Proposed effective date.

July 1, 2003.